



भारत का गज़त The Gazette of India

प्रसारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं ४) नई विल्ली, शुक्रवार, जनवरी ३, १९६९/पोष १३, १८९०

No. 4] NEW DELHI, FRIDAY, JANUARY 3, 1969/PAUSA 13, 1890

इस भाग में मिस्र पृष्ठ संख्या दी जाती है जिससे कि यह भ्रात्य संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

NOTIFICATIONS

CUSTOMS

New Delhi, the 3rd January, 1969

G.S.R. 36.—In exercise of the powers conferred by sections 11K, 11L and 11M of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Specified Goods (Prevention of Illegal Export) Rules, 1969.
2. **Definition.**—In these rules, “section” means a section of the Customs Act, 1962 (52 of 1962).
3. **Particulars, etc. of transport voucher under section 11K.**—(1) The transport voucher required to be prepared under section 11K shall contain the following particulars, namely:—
 - (a) name of the specified goods;
 - (b) names of the seller and the purchaser, where the specified goods are transported consequent on sale, and the name of the owner, in all other cases;
 - (c) location of the premises from where the specified goods are being taken out;

- (d) location of the premises to which the specified goods are being taken;
- (e) total net weight of the specified goods;
- (f) where the specified goods are bars and pieces of silver, for those weighing one kilogram or more:—

Weight of each bar or piece Number of bars or pieces Marks and numbers
(g) time when the specified goods leave the premises mentioned at (c) above.

(2) Where the specified goods are to be transported to another city, town or village, the transport vouchers shall in addition to the particulars specified in sub-rule (1), contain the following particulars:—

- (i) means of transport;
- (ii) where a motor vehicle is used for transport of the specified goods, the registration number of the motor vehicle;
(When a bus is used as a means of transport, it is not necessary to include the registration number of the bus).
- (iii) route to be followed for transport of the specified goods;
- (iv) time and date when the specified goods are to be taken from the city, town or village; and
- (v) time and date when the specified goods are likely to reach the destination.

(3) The transport voucher referred to in sub-rule (1) shall be prepared and signed by the seller of the specified goods, when the transport of such goods is consequent on sale, and in all other cases, by the person owning, possessing or controlling such goods and when such goods are to be transported, whether consequent on sale or otherwise, to another city, town or village, the additional particulars referred to in sub-rule (2) shall be entered by the person owning, possessing or controlling such goods.

(4) The transport vouchers referred to in sub-rule (1) shall be in duplicate, shall be bound in the form of a book, shall have consecutive serial number stamped on them and they shall be issued only in the order of the serial number and shall not be used in respect of any goods other than the specified goods; and the original copy thereof shall accompany the specified goods during their transportation and the duplicate copy thereof shall be retained by the person preparing the same.

4. Form, etc. of accounts to be maintained under section 11L.—(1) The accounts required to be maintained under section 11L shall contain the following particulars in respect of each acquisition, sale or disposal of the specified goods:—

- (i) name of the specified goods;
- (ii) name and full business address of the person from whom the specified goods have been acquired or in whose favour the specified goods have been parted with;
- (iii) net weight of the specified goods;
- (iv) where the specified goods are bars and pieces of silver, for those weighing one kilogram or more:—

Weight of each bar or piece Number of bars or pieces Marks and numbers
(v) time and date of acquisition, or parting with, of the specified goods.

(2) At the end of each day, the person concerned shall total the acquisitions, sales and disposals of the specified goods and enter the closing balance in the accounts.

(3) All particulars referred to in this rule shall be entered in a register:

Provided that particulars in respect of each sale or disposal of specified goods may be entered in a book of sale or disposal memos. in duplicate.

(4) The pages of the register and the book of sale or disposal memos. shall have consecutive serial numbers stamped thereon and the entries in respect of each acquisition, sale or disposal shall be made immediately after the acquisition, sale or disposal, as the case may be.

5. Reasonable steps to be taken under section 11M.—(1) The reasonable steps to be taken under section 11M by a person selling or transferring any specified goods shall be the following, namely:—

He shall satisfy himself about the identity and address of the purchaser or transferee, as the case may be, either—

- (a) from his personal knowledge; or
- (b) on the strength of a certificate given by a person personally known to the seller or transferee, as the case may be, and with whose handwriting and signature such seller or transferer is familiar; or
- (c) on the strength of a certificate issued under the Gold Control Act, 1968 (45 of 1968) for recognition as a goldsmith or an identity card issued under that Act to an artisan; or
- (d) on the strength of a certificate issued to the purchaser or transferee, as the case may be, by the Inspector of Central Excise within whose jurisdiction such purchaser or transferee has his place of business:

Provided that—

- (i) where the identity and address of the purchaser or transferee, as the case may be, is satisfied on the strength of a certificate referred to in (b) above, the seller or transferer, as the case may be, shall retain such certificate for production before the proper officer; and
- (ii) where the identity and address of the purchaser or transferee, as the case may be, is to be satisfied on the strength of a certificate referred to in (d) above, such certificate shall be got countersigned by the seller or transferer, as the case may be, from the Superintendent of Central Excise within whose jurisdiction he has his place of business.

(2) The certificate of identity referred to in sub-rule (1) (b) shall be in the following form and shall be written in manuscript by the person issuing it:—

"I, Shri _____, residing at _____ do hereby certify that Shri _____ residing at _____ is personally known to me. His signature is given below. He is not a dealer in manufacturer of silver.

Signature.
Date.

Signature of the person identified."

(3) Where the identify and address of the person to whom specified goods are sold or transferred is satisfied on the basis of a certificate referred to in sub-rule (1) (c) or (d), the seller or the transferer, as the case may be, shall record in the accounts of sales maintained under section 11L the serial number and date of the certificate and full particulars of the authority who has issued the certificate.

[No. 6/F. No. 2/5/68-Cus. VI.]

G.S.R. 37.—Whereas the Central Government, having regard to the magnitude of the illegal export of the goods mentioned in the Schedule hereto annexed, is satisfied that it is expedient in the public interest to take special measures for the purpose of checking the illegal export of the said goods, and facilitating the detection of the said goods which are likely to be illegally exported;

Now, therefore, in exercise of the powers conferred by section 11-I of the Customs Act, 1962 (32 of 1962), the Central Government hereby specifies the goods mentioned in the said Schedule as the goods with respect to which special measures for the purpose of checking their illegal export, and facilitating the detection of the said goods which are likely to be illegally exported, shall be taken.

THE SCHEDULE

1. Silver bullion and coins.

G.S.R. 38.—In exercise of the powers conferred by clause (c) of section 11H of the Customs Act, 1962 (52 of 1962), the Central Government, having regard to the vulnerability to smuggling of the area mentioned in the Schedule hereto annexed, hereby specifies the said area as specified area for the purposes of the said Act.

THE SCHEDULE

The inland area fifty kilometers in width from the coast of India falling within the territories of the States of Gujarat, Kerala, Maharashtra and Mysore and the Union territory of Goa, Daman and Diu.

[No. 8/F. No. 2/5/68-Cus. VI.]

G.S.R. 39.—In exercise of the powers conferred by sub-section (2) of section 11K of the Customs Act, 1962 (52 of 1962), the Central Government hereby specifies silver bullion and coins as goods for the purpose of clause (i) of that sub-section and directs that no such goods, the aggregate market price of which exceeds one thousand rupees, shall be transported from, into or within any area specified under section 11H of the said Act unless the transport voucher under sub-section (1) of the said section 11K has been counter-signed by the proper officer:

Provided that no such counter-signature shall be necessary in respect of transportation of any such goods,—

- (i) during the hours from 9 a.m. to 8 p.m. from one place to another in the same city, town or village, as the case may be; or
- (ii) consequent on a sale or transfer made by a dealer or refiner of such goods if the market price of the goods so sold or transferred does not exceed five thousand rupees.

2. This notification shall come into force on the 10th January, 1969.

[No. 9/F. No. 2/5/68-Cus. VI.]

G.S.R. 40.—In exercise of the powers conferred by sections 11C, 11D, 11E, 11F and 11G of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Notified Goods (Prevention of Illegal Import) Rules, 1969;

2. **Definition.**—In these rules, “section” means a section of the Customs Act, 1962 (52 of 1962).

3. **Particulars, etc. of statements under section 11C.**—(1) The statement required to be delivered under sub-section (1) or sub-section (2) of section 11C shall contain the following particulars, namely:—

- (a) name and full business address of the person required to deliver the statement;
- (b) situation and description of the premises where the notified goods are kept or stored;
- (c) particulars of the notified goods as specified in rule 9;
- (d) the date of acquisition of the notified goods and the name and full address of the person from whom such goods were acquired.

(2) The statement referred to in sub-rule (1) shall be duly signed by the person required to deliver it under section 11C and shall be delivered in duplicate to the proper officer who shall, after recording acknowledgment thereof on the original copy, return that copy and retain the duplicate copy.

4. **Particulars, etc. of the transport voucher under section 11C.**—(1) The transport voucher required to be prepared under sub-section (6) of section 11C shall contain the following particulars, namely:—

- (a) name of the owner of the notified goods;
- (b) name of the notified goods;
- (c) particulars of the notified goods as specified in rule 9;
- (d) location of the premises from where the notified goods are being taken out;

- (e) location of the premises to which the notified goods are being taken;
- (f) means of transport;
- (g) where a motor vehicle is used for transport of the notified goods, the registration number of the motor vehicle (When a bus is used as a means of transport, it is not necessary to include the registration number of the bus);
- (h) route to be followed for transport of the notified goods;
- (i) time and date when transport of the notified goods begins; and
- (j) time and date when the notified goods are likely to reach the destination.

(2) (a) The transport voucher referred to in sub-rule (1) shall be prepared in duplicate and both the copies shall be signed by the person required to prepare the same.

(b) The original copy of the transport voucher shall accompany the notified goods during the transport of such goods and the duplicate copy thereof shall be retained by the person who has prepared the same;

(c) All transport vouchers shall have consecutive serial numbers stamped on them;

(d) No transport voucher shall be issued except in the order of the serial number and in respect of the notified goods;

(e) All transport vouchers shall be kept in the order of their serial number in the form of a book.

5. **Reasonable steps to be taken under section 11D.**—The reasonable steps to be taken under section 11D by a person acquiring any notified goods shall be the following, namely:—

(1) If the notified goods are to be acquired from a hawker, the person so acquiring shall satisfy himself that the hawker has entered the acquisition by him of the notified goods in the accounts maintained under sub-section (1) of section 11E and the said accounts have been certified by a gazetted officer of customs.

(2) If the notified goods are in the use of any person or are kept for the use of any person, in his residential premises and are to be acquired by any other person, the person so acquiring shall satisfy himself (except when he acquires any notified goods which are being used by any person and the market price of which has depreciated on account of the use to less than two-thirds of their market price if they are new) that the seller or transferer, as the case may be, has evidence of clearance of such goods by the customs authorities on payment of fine in lieu of confiscation or has permission from a gazetted officer of customs for the sale or transfer of such goods.

6. **Form, etc. of accounts to be maintained under section 11E.**—(1) The accounts required to be maintained under section 11E of the Customs Act, 1962 (52 of 1962) shall contain the following particulars in respect of each acquisition or disposal (whether by sale or otherwise) of notified goods, namely:—

- (a) name of the notified goods;
- (b) name and full business address of the person from whom the notified goods have been acquired or in whose favour the notified goods have been parted with;
- (c) serial number of the voucher or memorandum accompanying the notified goods acquired;
- (d) particulars as specified in rule 9; and
- (e) time and date of acquisition, or parting with, of the notified goods.

(2) All particulars referred to in sub-rule (1) shall be entered in a register:

Provided that particulars in respect of each sale or other disposal of notified goods may be entered in a book of sale or disposal memos. in duplicate.

(3) The pages of the register and the book of sale or disposal memos. shall have consecutive serial numbers stamped thereon and the entries in respect of each transaction shall be made immediately after the transaction.

7. Particulars of voucher under section 11F.—(1) The voucher required as evidence under section 11F shall contain the following particulars, namely:—

- (a) name and full business address of the person selling or transferring the notified goods;
- (b) particulars of the notified goods as specified in rule 9;
- (c) name and full address of the person to whom the notified goods are sold or transferred; and
- (d) time and date of sale or transfer.

(2) (a) The voucher referred to in sub-rule (1) shall be prepared in duplicate and both the copies shall be signed by the person required to prepare the same.

(b) The original copy of the voucher shall accompany the notified goods during the transport of such goods and the duplicate copy thereof shall be retained by the person who has prepared the same.

(c) All vouchers shall have consecutive serial numbers stamped on them.

(d) No voucher shall be issued except in the order of the serial number and in respect of the notified goods.

(e) All vouchers shall be kept in the order of their serial number in the form of a book.

8 Particulars of the memorandum under section 11G.—The memorandum required to be issued under section 11G shall contain the following particulars, namely:—

- (a) particulars of the notified goods as specified in rule 9;
- (b) name and full address of the person to whom the notified goods are sold or transferred;
- (c) time and date of sale or transfer of the notified goods; and
- (d) name, full address and signature of the seller or transferer of the notified goods; and
- (e) where the market price of the notified goods sold or transferred has not depreciated on account of use to less than two-thirds of their market price, if they are new, the particulars of the permission given by a gazetted officer of Customs authorising the sale or transfer of the notified goods, or the number and date of the order passed by such officer evidencing clearance of such goods by the Customs on payment of fine in lieu of confiscation.

9. Particulars of notified goods.—(1) The particulars of the notified goods required to be given under rules 3(1)(c); 4(1)(c); 6(1)(d); 7(1)(b) and 8(a) shall be the following, namely:—

- (a) the description of the notified goods with such identifying particulars as are specified in sub-rule (2);
- (b) quantity of the notified goods; and
- (c) market price of the notified goods on the date of acquisition of such goods.

(2) The identifying particulars referred to in clause (a) of sub-rule (1) shall be the following, namely:—

- (i) serial number, if any;
- (ii) batch number, if any;
- (iii) patent number, if any;
- (iv) make, if any;
- (v) brand, if any;
- (vi) trade mark, if any;
- (vii) country of origin, if any.

(b) In addition to the identifying particulars mentioned in clause (a), the particulars mentioned against each of the following articles shall also be given in respect of each such article:—

- (i) watches—size, shape, with or without centre second, calendar or not, rolled gold or stainless steel, luminous dial or not, type of numerals on dial.

- (ii) synthetic yarn—variety, denier.
- (iii) metallised yarn—variety, colour, length of yarn in each reel.
- (iv) fabrics and sarees—variety of yarn, denier, type of fabric, colour.
- (v) knit-wear—variety of yarn, gents', ladies' or children's size, colour;
- (vi) perfumes—size of bottle;
- (vii) transistor radios—number of bands, number of transistors.
- (viii) fountain-pens—ball point pens, and propelling pencils—type, colour;
- (ix) lipstick, face powder, rouge and nail polish-shade;
- (x) cigarettes; cigars and manufactured tobacco—size of retail-packing.
- (xi) flints—size of tin.
- (xii) irons—with or without starch or steam, colour of handle.
- (xiii) teaster—colour of painted portion, if any.
- (xiv) films—expiry date, speed, size, whether black and white, or colour.
- (xv) playing cards—design number or design.
- (xvi) battery-operated toys—name, size.

[No. 10/F. No. 2/5/68-Cus. VI.]

G.S.R. 41.—Whereas the Central Government, having regard to the magnitude of the illegal import of the goods mentioned in the Schedule hereto annexed, is satisfied that it is expedient in the public interest to take special measures for the purpose of checking the illegal import, circulation and disposal and facilitating the detection, of the said goods;

Now, therefore, in exercise of the powers conferred by section 11B of the Customs Act, 1962 (52 of 1962), the Central Government hereby specifies the goods mentioned in the said Schedule as the goods with respect to which special measures for the purpose of checking the illegal import, circulation and disposal, and facilitating the detection, thereof shall be taken.

THE SCHEDULE

1. Watches.
2. Synthetic yarn and metallised yarn.
3. Fabrics, sarees and knitted wear, made wholly or mainly of synthetic yarn.
4. Alcoholic liquors.
5. Cigarettes, cigars, manufactured tobacco, cigarette lighters and flints.
6. Fountain pens, ball point pens, and propelling pencils.
7. Perfumes, cosmetics, adjustable safety razors, and blades.
8. Playing cards, battery-operated toys.
9. Transistor radios, transistors and diodes; stereos tape recorders, and tapes and cartridges therefor; any combination of these instruments.
10. Electric appliances, namely:—
Shavers, hair dryers, mixers and liquidisers, automatic toasters and irons.
11. Photographic cameras, flash-guns and films therefor.

[No. 12/F. No. 2/5/68-Cus. VI.]

M. G. ABROL, Jt. Secy.

